

## Aberystwyth University

### *From the Mouths of Dragons*

Hampson, Kathryn

*Published in:*  
Youth Justice

*DOI:*  
[10.1177/1473225415625374](https://doi.org/10.1177/1473225415625374)

*Publication date:*  
2016

*Citation for published version (APA):*

Hampson, K. (2016). From the Mouths of Dragons: How Does the Resettlement of Young People from North Wales Measure Up ... In Their Own Words? *Youth Justice*, 16(3), 246-262.  
<https://doi.org/10.1177/1473225415625374>

#### **General rights**

Copyright and moral rights for the publications made accessible in the Aberystwyth Research Portal (the Institutional Repository) are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

- Users may download and print one copy of any publication from the Aberystwyth Research Portal for the purpose of private study or research.
- You may not further distribute the material or use it for any profit-making activity or commercial gain
- You may freely distribute the URL identifying the publication in the Aberystwyth Research Portal

#### **Take down policy**

If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.

tel: +44 1970 62 2400  
email: [is@aber.ac.uk](mailto:is@aber.ac.uk)

# From the Mouths of Dragons: How Does the Resettlement of Young People from North Wales Measure Up ... In Their Own Words?

Kathy Hampson

*This article was originally published in 'Youth Justice' and can be found online at:*  
<http://yji.sagepub.com/content/early/2016/01/28/1473225415625374.abstract>

## Abstract

Young people in custody are likely to reoffend, questioning current resettlement practice. In Wales, the Resettlement Broker Project was established to address this, beginning by assessing current practice. The ensuing data set of interviews with young people from North Wales serving sentence in England was analysed regarding custody and resettlement experiences. Resettlement and desistance literature provided a strong basis for effective working; the slowness of the English and Welsh youth justice system to truly incorporate desistance thinking means that these young people missed a potentially beneficial working ethos, centred on personal goals and individual strengths, indicating the need for radical change.

## Keywords

custody, desistance, resettlement, Wales, youth offending

## Introduction

Young people entering custody in England and Wales have the highest recidivism rate of all young people within the youth justice system, with recent figures identifying a 66.5 per cent re-conviction rate within 12 months (Ministry of Justice, 2015). However, this figure actually represents a reduction in this previously intransigent group of 1.7 per cent on the previous year and is 8.3 per cent lower than in 2002 (Ministry of Justice, 2015). This possibly results from a spotlight on resettlement over recent years as research has increased (Bateman et al., 2013). A wide range of programmes have been piloted and evaluated, mainly with favourable impact in improving outcomes for young people (Hazel et al., 2012a; Phillips et al., 2012; Youth Justice Board (YJB), 2010). However, the dramatic reduction in custody figures over the past 5 years has left a distilled group of young people for whom custody was perhaps more inevitable, and with a multiplicity of risk factors for offending (with relatively few protective factors), who are therefore much more likely to offend (Bateman et al., 2013). One of the objectives of the English and Welsh youth justice's governing body, the YJB, for youth offending teams (YOTs) is to reduce offending (YJB, 2012b), a challenge when working with more entrenched behaviours. Young people under 18 years in England and Wales serving custodial sentences are sent to Young Offender Institutions (YOIs) (boys 15 years and above, generally run by the prison service), Secure Training Centres (STCs) (any age – including more vulnerable boys – girls and boys; all privately run) or Secure Children's Homes (SCHs) (younger, more vulnerable children, run by local authorities) (YJB, 2012a).

This article has taken data from a Welsh resettlement project commissioned by the YJB and Welsh Government, the Resettlement Broker Project, delivered by Llamau, a Welsh homelessness charity. This project has sought to improve the resettlement of Welsh young people coming out of custody, the focus here being North Wales, as some issues are particular to this region, which has no custodial provision of its own (Parc YOI in South Wales is actually more distant than provision in North West England) so young people go to England (YJB, 2012a). Interviews with young people,

both in custody and after release, have captured some of their thoughts and experiences. Combining these with post-release outcomes, the efficacy of resettlement practice in this context was examined to look at reoffending and potentially what, in their experience, might have contributed to their success or failure in this. Referring to literature on resettlement and desistance, and taking into account recommendations from a thematic inspection of resettlement, published last year (HMIP, 2015), a powerful narrative for successful resettlement into a non-offending lifestyle emerged.

## **Effective Resettlement**

‘Resettlement’ ranges from meeting immediate needs of custody leavers to more overarching considerations, such as better social inclusion, bringing opportunities for achieving a non-offending lifestyle (Moore, 2012). The term itself has been criticised as a misnomer, since those ‘resettling’ back into the community may never have been particularly settled beforehand (Ramsbotham, 2003), possibly indicating the need for something quite different post-custody. The YJB identified seven ‘resettlement pathways’ of accommodation, education training and employment (ETE), substance misuse, health, families, finance benefits and debt, and case management and transitions (YJB, 2006). These categories cover important areas of potential need for custody leavers, although one survey revealed that fewer than one in four young people felt that problems leading to their offending were addressed (Glover et al., 2012). So even if YOTs think they are addressing the right issues, young people may not agree. The identification of these pathways nearly a decade ago may have had some effect on resettlement effectiveness, given the slight reduction in reoffending figures quoted earlier; but the pathways have not been a silver bullet for success, so perhaps the focus should progress from the ‘what’ to the ‘how’.

Some difficulties experienced by those sent to custody are caused by the hiatus in their relationships with the ‘outside’ (Hazel et al., 2002). The Detention and Training Order (DTO) is available for young people under 18 years in the Welsh and English courts, which attempts to strengthen links between custody and community by combining both aspects as different stages within the same order, young people being released on licence halfway through (Hazel et al., 2002). However, an evaluation of the DTO found persisting difficulties in communication between the two sectors, and in pre- and post-release work (Hazel et al., 2002), indicating that more is needed to develop this relationship than simply changing the nature of custodial orders. This disconnect from society is evident even for short sentences (HMIP, 2015), as previous provision (e.g. accommodation or ETE) can be easily lost, leaving little benefit to young people in the YJB’s stated aim that custodial sentences should be as short as possible; indeed, access to a variety of opportunities, like programmes and release on temporary licence (ROTL), appears less likely for young people sentenced to very short periods of custody.

Transition from custody to community should cover both preparation of the outside world to receive the young person and preparation of the young person for the outside world (Hazel and Liddle, 2013). To prepare effectively, plans need to be in place prior to release, with a resettlement focus throughout the custodial part of the sentence, beginning on arrival (Hazel and Liddle, 2013; HMIP, 2015). Custody plans should contribute towards preparing the young person for release (Bateman et al., 2013), requiring custody case-workers to identify with young people what support they need and, following the desistance model, their goals in life (Fitzpatrick et al., 2015), so plans facilitate them. The young person’s family/care situation also needs to be prepared for their release, by ensuring that effective systems are in place to encourage desistance. Equally important is preparing the young person for release, as custody causes many young people to feel significant anxiety on, and immediately after, release, leading to withdrawal or acting out behaviours (Hazel et al., 2002). This could be achieved through YOT visits, effective key-working by custody staff and pre-release courses encompassing emotional impacts of release, alongside practical skills.

Release preparation can be significantly improved by the use of ROTL (Hazel and Liddle, 2013). ROTL allows people to leave custody, usually for the day, to further resettlement aims, like visiting accommodation or attending interviews. However, it is not available until halfway through a custodial period, and most institutions require certain levels of behaviour to have been demonstrated first, often meaning that those on orders of 6 months or less cannot gain eligibility (HM Prison Service, 2005). The YJB is currently reviewing guidance, having consulted with relevant agencies about the process, acknowledging its currently problematic nature; but perhaps the most limiting factor is the risk-averse attitude custodial establishments take to ROTL suitability.

Given the relative complexity of the reduced custody cohort, release should be underwritten by wrap-around needs-led care, most effectively provided through a partnership approach, as no one agency can cover all the needs of a young person (Hazel and Liddle, 2013). This should include voluntary, private, third sector and statutory agencies, so support can be continued beyond the end of statutory YOT contact through a non-criminal agency (Hazel et al., 2012a). Young people might be more likely to engage with a worker from another agency after the end of their licence period if they have already got to know them, underlining the importance of introducing other non-criminal agencies at an appropriately early point in the order. The basis is then set for an after-justice exit plan, a vital aspect of the resettlement process, since offending can quickly recommence once support ends (Hazel et al., 2012b).

### **Current Desistance Thinking**

Primary desistance describes initial attempts to move away from criminal activity, with secondary desistance being the successful adoption of a non-criminal persona and the complete cessation of criminal activity (Maruna et al., 2004), making desistance a process rather than an event. The vast majority of young people sentenced to custody want to stop offending prior to release (Kennedy, 2013), and yet will reoffend within the year at a rate of nearly 67 per cent, so clearly the desire to desist is not enough (Burnett, 2004). Possibly, obstacles encountered outweigh their ability to overcome them, with surrounding support dissipating once difficulties emerge (Moore, 2012). Work with young people needs to help them move away from a lifestyle centred around offending to one with pro-social goals (Fitzpatrick et al., 2015), but in a forgiving environment accepting relapse as part of the process (King, 2013).

Several precursors to desistance have been identified, all within general principles of a strengths-based, goal-centred approach with an empathetic worker, rather than the more familiar risk-based interventions (Barry, 2009). The occurrence of 'turning points', significant events in a young person's life, allows an opportunity for more pro-social decision-making (Sampson and Laub, 1993). Young people need to be able to overcome obstacles, particularly those previously precipitating offending behaviour (Maruna and LeBel, 2003). Desistance thinking describes a need to create a new non-offending personal narrative, allowing young people to cease acts commensurate with their former selves and 'become' the person (non-offender) they desire to be (Giordano et al., 2002). Although the adult probation service has successfully incorporated this (notably in using the Good Lives Model with sex offenders (Ward, 2002)), due to a relative dearth of age-appropriate research, the youth justice system has been slow to adopt these principles. However, the recent youth justice resettlement thematic inspection report specifically identified key desistance factors from this approach (HMIP, 2015: 15).

Work needs to begin with young people while they are in custody to help them identify life goals, which become the focus of plans and interventions both inside and outside custody (Fitzpatrick et al., 2015). Giordano et al. (2002) describe the process in four stages: general cognitive openness to change, exposure to 'hooks for change', the availability of an appealing conventional self and reassessing attitudes to deviant behaviour. The vast majority of young people coming out of custody

are on the first step in this desistance process in stating their desire to stop offending, but are reminded of their offender status by offence-focused work, preventing the adoption of a non-offending persona (HMIP, 2015; McNeill et al., 2014). This highlights the difficult position of YOTs as responsible to courts for work undertaken on orders and ensuring the mitigation of risks, while enabling a line to be drawn under the young person as an offender, so they can progress to a post-offending life.

## **Welsh Context**

In Wales, although youth justice is not a devolved area, several facets are, including education, health, housing and social care. Since these are key agencies in youth justice, the YJB in Wales has developed separate strategies and policies reflecting these differences (Welsh Government/YJB, 2014). One major difference lies in the manner in which Wales' formal adoption of the United Nations Convention on the Rights of the Child has impacted upon policy and legislation (National Assembly for Wales, 2011). Although the UK government as a whole is a signatory, this is not enshrined in legislation and therefore not enforceable through the UK legislature. Wales' stance is reflected in the latest Welsh youth justice strategy, emphasising that young people should be considered 'children first' above any 'offender' status (Welsh Government/YJB, 2014). These principles should apply for any involvement young people might have with the criminal justice system (including when they are in English custodial provision (YJB, 2012b)). However, whether young people actually identify a difference in their treatment as being more child-friendly is not yet clear. The North Wales YOTs have rejected titles including the word 'offender', all opting for 'Youth Justice Service' instead, although this is not replicated in other areas of Wales, so does not reflect a national approach. It is possibly too early to judge whether their 'children first' status has impacted on young people's perception of their treatment (the strategy was only launched in July 2014), but would be a useful area for future study.

All the young people interviewed for this project were from North Wales and in English custody. This brings particular challenges which the YJB addressed by establishing an enhanced service specification in 2011 at HMP and YOI Hindley in Wigan, where young Welsh males aged 15–17 years from North Wales were primarily placed at the time (note: since Hindley has now been re-roled as an adult prison, this specification now rests with Werrington YOI, even further away from North Wales (YJB, 2015)). This was accompanied by a placement protocol ensuring that North Walian young people were placed in Hindley, considered better able to meet their language, cultural, education, social care and resettlement needs (YJB, 2012a). However, this does not cover girls and younger boys, who are sent to alternative institutions with no such provision.

There are two potential areas of extra difficulty which young people from Wales in English custody might encounter: increased distances from home (although this is now in common with an increasing number of other young people, with the reduction in YJB placement sites) and the cultural and language barriers of being in a different UK home country. The placement of young people in Hindley presented difficulties for YOTs in visiting over and above National Standards (young people should be visited at least once a month (YJB, 2013)), maintaining familial visits, providing timely support for young people experiencing problems and the capacity of other agencies to visit when necessary. There were also limitations for the potential use of ROTL (a term only used in YOIs, referred to as 'mobility' in STCs and SCHs; for convenience 'ROTL' is applied generically) for resettlement purposes, as visits to the home authority might be impractical. Provision was primarily English, especially significant in terms of devolved administration areas. Support was limited for young people whose first language was Welsh. Although easterly counties tend to be English speaking, young people from western counties often conduct every aspect of their lives through the medium of Welsh, including schooling.

## **Methodology**

All young people given DTOs from North Wales, and released from April to September 2014, were to be interviewed soon after release (Time 1) and just before licence end (Time 2). Where possible, parents/carers were also interviewed utilising the DTO evaluation parent interview schedule (Hazel et al., 2002). Access to the young people was negotiated with the YOTs, which informed the researcher when young people were due for release, subsequently facilitating interviews in the community. Participation by young people was voluntary, requiring consent, which they could withdraw at any point. Follow-up of missed interviews was tempered by considering whether it was tacit refusal. The consent form also requested permission to digitally record interviews, which was re-checked at the start of every interview. Interview questions were developed from those devised for the DTO evaluation (Hazel et al., 2002), so had been tested on similar young people.

A pragmatic decision to limit interviews to the community ruled out interviewing young people recalled on their licence and those who had been remanded but not released while still on licence. Some consent refusals (both explicit and tacit) further reduced the interview cohort, which comprised six Time 1 interviews, five Time 2 interviews and three parent interviews. These covered a total of eight young people (out of a possible 13 – one refused consent, three were released without the researcher being informed and one went missing, subsequently recalled). All the young people also completed a written questionnaire, some responses of which were incorporated. Also included were three interviews from young people released at an earlier stage in the project and one focus group of five North Walian young people in a YOI (October 2012). All Time 1 and Time 2 interviews (except one, where consent for recording was refused) were digitally recorded and transcribed. One Time 2 digital recording failed part way through the interview, resulting in data loss. Parental interviews were conducted over the telephone and notated, verbatim where quotes are used. The earlier project interviews were notated rather than recorded, as was the YOI focus group, where permission for digital recording was denied. Data regarding further offending and compliance were sourced from the YOT information system, CareWorks. All information on young people was kept secure, with names coded to prevent identification. In this article, they have been given pseudonyms for simplicity, ascribed alphabetically, indicating gender alone.

No further selection criteria were imposed on the main interview population, so those participating (nearly two-thirds of those eligible) could be taken as reasonably representative of this group. The YOI focus group consisted of all young people from Wales who were resident at the time, bar one who refused consent (attendance was voluntary), and the young people interviewed earlier in the project were those selected by YOTs as custody leavers who consented. There are potential pitfalls with interviewing such a small cohort of young people, as their opinions may be very individual, possibly not reflecting a larger cohort. However, since the proportion was reasonable, it has been assumed that their opinions were representative of similar young people in similar circumstances (to extrapolate out further than this to other populations is unwise). All interviews were conducted in English, which could have formed a barrier for young people whose first language was Welsh, who might have felt less able to communicate their feelings. Questionnaires were available in Welsh and English, although no Welsh-language versions were used.

## **Interviewee Demographic Information**

Detailed descriptions of the interview cohort have not been included to avoid identification. Aggregated data give useful background to the young people interviewed (excluding the YOI focus group, who were not identified to the researcher; eight Time 1 and/or Time 2 interviewees plus three previous custody-leaver interviews – n = 11).

The 11 young people had a mean age of 16 years on receipt of their sentence, ranging from 13 to 18 years. Nine had been in custody for breaching previous orders (although four also included

another offence), seven were serving 6 months or less and three had been in custody before. Seven young people served their sentence in YOIs, three in STCs and one in women's prison (the only female). They had a mean of nine previous convictions (ranging from 1 to 19), with a mean age of first detected offence (usually dealt with via police Reprimand) of 12 years (ranging from 10 to 15 years). Nearly one-quarter were looked after by the local authority, and nearly one-quarter were first-language Welsh speaking. Three were not in any ETE on receipt of their sentence, increasing to eight on release.

Only one young person had been given resettlement-related ROTL, to visit accommodation. Nearly one-half had committed one or two breachable actions, but not actually been breached; three were returned to court for breach, two of whom were recalled to custody. Nearly three-quarters committed no further offences during their licence, but only four remained offence-free for a further 12 months. However, only five of the young people had support identified for beyond the end of their licence (which included ongoing social worker involvement for those looked after by the local authority).

### **From the Dragons' Mouths**

The young people's responses have been divided into three sections, roughly corresponding to custody, community and after-justice support. These categories are all examined, with reference to the issues outlined above, but particularly relating to resettlement and desistance good practice, and the North Walian context.

#### *In custody*

The young people interviewed had wide-ranging views on the custody environment, from it being much easier than expected, to those saying that it was '*horrible, just horrible*'. Some commented on bullying they had witnessed, with those expressing suicidal thoughts positively encouraged by others to 'string up' (hang themselves). One young person commented,

*It's not Butlins, and people saying that know deep down that it isn't, but might be too scared to say. (Aled – YOI)*

Recent figures on perceptions of safety in YOIs showed that 22 per cent felt victimised by others, but 29 per cent, nearly one-third, had felt unsafe at some point (Prime, 2014). However, research suggests that however unpleasant the custodial environment, it does not deter reoffending, even indicating that harsher conditions cause an increase (Garton Grimwood and Berman, 2012). What the custodial environment does, inevitably, is emphasise young people's sense of being an offender, inhibiting the desistance process from beginning. This may also, considering the desistance literature, contribute to the high recidivism rate of those in custody (Garton Grimwood and Berman, 2012).

Several of the young people had been the only Welsh person (to their knowledge) in their custodial establishment. There appeared to be some difference, in terms of being Welsh, between the different Welsh counties. Those from more easterly counties seemed to find affinity with some of the English young people (note – 'Scousers' are generally people from Liverpool in North West England):

*I was chilling with all the scousers. It's scousers against everyone else really. And I just fit with all the scousers. (Aled – YOI)*

The young people feeling the difference most seemed to be first-language Welsh speakers, with one commenting that large numbers of young people from some areas teamed up; he also thought that

some young people were *'really on their own'*. Ben (YOI) commented that there had been one other Welsh young person in custody with him, but they had not been a Welsh speaker, although there was a Welsh-speaking teacher, with whom he had been able to converse (employed to fulfil requirements of the Welsh specification). It would seem then that potential difficulties for Welsh young people in being within an English establishment were not universally felt. However, in the YOI focus group, they agreed that they enjoyed getting together as Welsh young people (*'this kind of thing'*), indicating valuing of Welsh identity.

The other potential difficulty for young people from Wales in English custody is distance from home, although since the YJB shelved its aim of placing young people no further than 50 miles from home in favour of rationalising places to a smaller number of establishments (YJB, 2014), this is a wider issue. These distance-related difficulties affect not only the potential for YOT workers to visit above national standards, but reduce the chances of visits from friends and family, increasing the burden for those who do. One young person expressed his dismay at the lack of parental contact, despite having regular phone calls:

*My mum. She never visit me, she just come as a meeting thing (for a DTO meeting?) Yeah, that's all she done. Then I stayed there for 2 month without no-one visiting me. (Callum – STC)*

This lack of personal contact further fractures the custody-community divide, making resettlement potentially more difficult due to breakdowns in relationships with family members, but also with YOT workers, who have to restart the engagement process after release.

Reducing opportunities for YOT visits also diminishes their capacity to help prepare young people emotionally for release, identified as often fraught with anxiety (Bateman and Hazel, 2015). With first-language Welsh speakers, any exploration of their thoughts and feelings therefore will take place in a second, albeit fluent, language, potentially affecting their ability to communicate deeply personal issues. However, whether custody keyworkers engaged such work appears to be debatable, given that young people felt they had little contact:

*Took me two weeks to get hold of a keyworker as well ... I only seen her twice when I'd been sentenced yeah. (Aled – YOI)*

Pre-release courses offer opportunity for the emotional aspects of release to be addressed, but in reality few young people actually attended one (which was voluntary), and the emphasis appeared to be on practical concerns, as Dylan (YOI) explained:

*Done loads of things like done CVs, done banking stuff, about paying bills and that.*

A major tool for resettlement available to the secure estate is ROTL, specifically recommended in the resettlement inspection report (HMIP, 2015). In theory, any eligible (halfway through their custodial period) and suitable (certain behavioural criteria and subject to risk assessment) young person should be considered for ROTL, but in several instances within this cohort, where young people were serving 6 months or less, they believed their access to ROTL was limited because they could not demonstrate compliance with the regime in time. This highlights ways in which young people given short sentences for proportionality are disadvantaged. Others never applied, since felt they were not likely to attain the behavioural criteria required; but should good resettlement depend on such things, or is this a case of operational concerns overriding the needs of young people?

Of the interview cohort, only Evan (YOI) had received a ROTL opportunity, to visit a new supported housing accommodation in his locale. This was an excellent example of resettlement ROTL, which he clearly appreciated, but which could have been much more frequently utilised (particularly as some of the young people had made college applications, but all interviews were held post-release, potentially delaying commencement). One of the YOI focus groups was accessing weekly ROTL in



order to attend a farming work placement in the locale of the prison. However, he expressed frustration that this did not reflect his interests, and which he was never likely to follow-up on release, underlining the importance of custody activities being related to resettlement outcomes – work placements relevant to young people’s aspirations, rather than what is available.

One of the young people interviewed brought another consideration into the ROTL debate. During a subsequent custodial sentence, he refused to consider an application for ROTL on the grounds that he did not want to go out off-site, knowing return was inevitable. He felt that this would make it too difficult, preferring to stay put until he could attain full release. This highlights some complex emotional processes underneath young people’s rationale for actions or refusal of actions. However, there was no mechanism for exploration, given a dearth of keyworker, YOT worker and familial contact, any of which might have enabled him to reassess.

A different aspect of leaving custody, not always considered, is the loss of relationships built while inside. The sample was not big enough to comment on whether there was a gender divide here, but Ffion (adult women’s prison) was the only one to really express this:

*Yeah I missed people in there. I missed me mates cos we make good mates in there.*

It would be worth further investigation to see whether this is a theme with women in custody, creating mutually supportive relationships to help them deal with their situation, possibly indicating another, more specific dimension to female resettlement.

### *After release*

The anxiety indicated from other research around release was echoed here, with most expressing some feelings of difficulty in relating to the world around them, typified by Callum (STC):

Dunno, I was happy but, when I got out, I never feel right because I’ve been in there for a couple of months. And it just felt like, I dunno, felt strange. You know. (How did you cope with that? What did you do?) Erm, nothing really. Just go out and have some fun. Try to.

Many of the young people used the words ‘mad’ or ‘weird’ to describe their feelings on release, in common with others (Bateman and Hazel, 2015). Dylan’s mother commented that he was very quiet after release, which she found worrying. Callum also appeared quiet on release, with his mother commenting that he no longer went out. However, this too is a well-documented reaction to release (Bateman and Hazel, 2015).

Of the Time 1/Time 2 interview cohort, five (out of eight) had been released on a Friday, potentially a time with least support available (statistically young people are more likely to be released on a Friday because all young people due for release at the weekend, according to sentence calculations, would leave the previous Friday). Although young people are most desirous to desist from offending around the time of release, this ‘window of opportunity’ (Bateman et al., 2013) quickly dissipates, so a fraught first weekend with nowhere to turn (apart from skeleton YOT staffing, with workers not necessarily known to the young person) could destroy this first precursor of desistance, leading to quick resumption of offending behaviour, potentially as an expression of disappointment at the lack of change in circumstances.

Possibly part of the reason this willingness to change melts away so quickly is because release brings an end to the strict routine imposed in custody. One might think that the young people would feel some resentment towards this, but it actually formed part of their worries for release, as Aled (YOI) said,

*Getting worried to getting bored, yeah. Cos your days fly in there than they do out here. People think they don't but they do. Go well quicker. You're always busy yeah. You're in a routine aren't you?*

Putting this in context with other plans for release, it was hardly surprising that the prospect of being bored was of concern since, prior to custody, only three of the young people were without any ETE provision, but post-release this rose to eight (and of the three released into ETE, two were returning to statutory school education); as such this appeared to be the most problematic issue for this cohort. This illustrates not only the fracturing effect of custody causing loss of provision but also that pre-release planning does not appear to routinely arrange ETE for immediate start on release. This hiatus is enough for good routines to be lost, and with it motivation for gainful activity, which sometimes appeared to be because of organisational failures, as Ffion (adult women's prison) explained,

*I would have started a course sooner, so that I'm not like bored all the time. Like people like the course that I'm going to be starting, they meant to be coming like ages ago. I was meant to start it actually when I first got out wasn't I? \_\_\_\_\_ sorted it out for me that I was meant to start it, and I just haven't for some reason, and now, like I think that course has finished.*

Some of the young people interviewed were casualties of the further education system's calendar, leaving them to wait for a course to start several months later, for example, Aled reoffended and was returned to custody before any new course could start:

*Yeah, they trying to get me into college in September (interview took place in April). (Ben – YOI)*  
Yet when ETE was put in place, it worked well, enabling the young person to start to attain their preferred future self. Dylan (YOI) said that he wanted to be a mechanic, but the course was full, so he eventually began a vehicle body repair course, which he recognised might help him to access his preferred option later. His mother commented,

*Doing sound at college. He's knuckling down; his work is being used as examples at college. He's loving it!*

The intensive nature of some post-custody supervision (Intensive Supervision and Surveillance (ISS) requires contact with the YOT for 25 hours a week initially, commonly given for several months post-release) should continue to provide the structure needed by these young people, but, in reality, they find it very difficult to manage, feeling that their time is not being well used:

*It's like they expect you to sit in the youth justice office all day and half the day you're not even doing anything. (Dylan – YOI)*

As an order, ISS has an extremely high breach rate, possibly because of the demands made on young people (Hart, 2011). More requirements mean more opportunities to fail and be sent back to court for non-compliance.

Putting this in context with the YOT interventions, the young person is quickly reminded of their status as an 'offender'. Custodial establishments and YOTs have improved their liaison and information sharing to such a degree that generally all young people released from under-18 provision have full information shared about the offending behaviour programmes completed in custody (although over-18 YOI provision is lagging behind significantly, with notoriously weak community links). This enabled YOTs to provide a continuation of this work in the community. However, although this sounds commendable, it further emphasises their 'offender' status, inhibiting their move towards a non-offending persona. All the young people interviewed knew what they needed to do in order to stay away from future offending, mainly related to what they needed to *stop* doing (e.g. taking drugs, meeting offending friends), rather than what might positively fill their time. So their *knowledge* was not in question, just their ability to actually achieve it. Perhaps the opportunity ought to be taken when a young person leaves custody to leave behind

offence-focused in favour of strengths-based work. This would truly provide a 'turning point' opportunity for the development of a different mind-set. It was said earlier that perhaps what young people need to experience post-custody should be very different from pre-custody, and this is one aspect within the gift of the YOTs.

The young people interviewed found it very difficult to keep flawlessly to post-custody supervision, with only 2 out of the 11 entirely not committing any breachable actions. However, interestingly, they were only two of four young people who did not reoffend within the following 12 months. The two others committed one breachable action each, but one reoffended beyond the 12-month measure. It would seem that attitude to licence period and beyond is important for success or failure in further offending. Dylan (YOI), who did not reoffend, clearly worried about this:

*I've had my final warning already, so I've only got one more warning then I'm back in court. I've already breached ... Stick to my appointments and stick to my ... permanent address, get home every night.*

However, Aled (YOI), who reoffended immediately after his licence ended, and had missed one appointment by this stage, gave the following advice for anyone in his position:

*Keep your head down till your licence is over, that's what I've done. Not really moved.*

Aled's troubling attitude really surfaced when he explained that he had deliberately avoided friends during his licence period, adding that he was waiting for it to end. When asked about how he would then safeguard himself from getting into further trouble, he commented,

*It looks better for you then doesn't it? Cos if I was on licence then that's the only option isn't it to send me back, but if I did get into trouble then I'd get re-bailed then wouldn't I?*

He appeared to have an extremely short-term view of the consequences of further offending, focusing on avoidance of recall to custody, by waiting until after the end of his licence. It is hardly surprising that Aled went on to reoffend with exactly the same offence again the day after his licence expired; he was remanded to custody and given a further DTO. There may have been some clues through his licence that he was not committed to staying out of trouble, with comments such as the following:

*Don't want to go back in obviously, it's better out here but I wouldn't be bothered at all if it did happen.*

Furthermore, his father commented,

*He now knows what it is like and is a doddle. It was positive in that he was getting qualifications, but negative because he is not bothered with going back.*

This demonstrates the inability of prisons in deterring further offending. He also commented that he missed out on an offending behaviour programme because his was only a short sentence, so he ended up doing it in the community instead. So his licence period was spent underlining his identity as an offender, without substantive steps being taken towards building a more pro-social personal narrative. His hopes that he was going to attend college in the September ended before his licence was completed, as his application seemed to have disappeared; no one was able to say what had happened to it, and tentative enquiries about alternatives were being discussed. However, the end result was no provision throughout his licence and no likely provision forthcoming afterwards.

In common with the other young people, Aled's licence supervision appears to make no reference to his own personal goals, which otherwise would have allowed the sentence and licence plan to be an action plan for achieving it. When asked, he was clear what he wanted to do: *nice house, and work on the oil rigs*. Many of the other young people really struggled to identify their hopes and goals for the future. This is not unexpected, as young people who offend appear to have a much shorter-term

view on life than those who do not, and need a lot of support to reach a point where they can effectively identify their path in life, not least because the risk of failure to reach stated goals is an experience which they are often unwilling to contemplate (Fitzpatrick et al., 2015). This would be a bespoke and prolonged piece of work in itself to be meaningful, but without this, young people are rudderless. It was clear from this cohort that no one had entered into in-depth work with them around this – responses were formulaic and vague, mainly revolving around employment.

A robust after-justice exit plan has been identified as necessary for effective resettlement (Hazel et al., 2012b). However, only one-half of these young people had been offered any further support post-licence (one young person was returned to custody before such planning was considered), and for one this was provided by ongoing social services involvement as a looked-after child. None of the young people who had been offered further support refused this, which for all of them was through extended voluntary YOT contact; they clearly appreciated this and were able to negotiate difficult obstacles as a result. However, there was no evidence that those without exit plans had been asked about this. Opinion on further contact was mixed in interviews, with one young person expressing incredulity that anyone would want to see the YOT voluntarily (*'what, are you mad?'*), and another saying they would like to continue with Careers Wales, but not the YOT. However, when the question was made more specifically to mean ongoing support from an agency other than the YOT, straight refusals were changed to being unsure.

The principle of continuing to see a criminal agency with no criminal order is incongruent with the desistance literature, as this is not conducive to the development of a new non-offending personal narrative. However, the reality for these young people is a loss of social capital, not easily restored. The young people were very aware of the effect this might have, with Ffion (adult women's prison) commenting,

*I just think people look at me differently now. Now like they think I'm, like, a bad person now, because I've been to jail, I think (How does that make you feel?) Bit gutted like, because like you don't think people trust me and that ... even me mates I think, I don't know, I just think they think I'm going to rob something off them or something, do you know what I mean?*

This loss of social standing, even among family and friends, is detrimental to anyone trying to reinvent themselves as a non-offender, especially when it also impacts on employment and accommodation options. The desistance models discussed here have taken much longer to penetrate into policy and practice in the youth than the adult system, where much desistance-working is commonplace. However, opportunity is being presented to make strengths-based goal-orientated working a focus of the youth justice system in England and Wales, as the new desistance-based assessment system AssetPlus is rolled out. However, this also needs to impact planning and interventions to really create a different flavoured system, with young people actively inputting into all supervision plans. Without this, engagement could well remain at compliance level, rather than genuine co-working (Wright et al., 2014).

## **Conclusion**

There were clear difficulties for Welsh young people incarcerated in English institutions, especially when they came from more westerly regions, causing isolation, and a lack of opportunity to converse in their mother tongue. Their enjoyment of each other's company pointed to a valuing of Welsh identity, easily lost in a large English institution far from home. The majority of young people interviewed for this project went on to reoffend post-release, roughly commensurate with the general reoffending level, as only 4 of the 11 remained offence-free after 12 months (but one of whom received further custodial sentences beyond this time-scale). However, the resettlement work these young people received did not generally apply resettlement principles identified through a plethora of literature. Very few were able to access any ROTL opportunities, and only one for resettlement

purposes, which might also be a function of long distance from home. There was no discernible attempt to support the young people for the emotional effects of release, which have been well documented (and reiterated here). Generally, the young people's licence intervention concentrated on offence-focused work, especially for those on ISS, underlining their status as an offender, with no reference to building their strengths and vision for the future through robust work around their personal goals. This not only contradicts principles of desistance support but also serves to treat them as an offender first, child second, in contrast to the Welsh strategy. Most young people lost routines gained in custody by a lack of ETE provision on release, with efforts to arrange this concentrated on the licence period, rather than pre-release. Licence interventions appeared short-sighted and did not (in half of the cases) look beyond its end for further support – those which did tended to keep the young people within the YOT, rather than establish engagement with a non-criminal agency before the end of statutory contact, for a smooth transition into more universal services.

Undoubtedly, these young people are among the most troubled and troubling in Welsh society; however, this is all the more reason for resettlement practice to be watertight. For this to be possible, *all* agencies need to work together more closely, as the YOTs cannot achieve this alone. However, their role could be transformed by a wholesale movement towards desistance-working (as opposed to offending-working). The introduction of AssetPlus could be a watershed in youth justice practice in England and Wales, but only if the general principles of desistance-working are really understood and implemented by practitioners. This is perhaps an opportunity for Welsh YOTs to really embed the 'children first, offenders second' principle and make the Welsh youth justice provision a distinctive service which serves 'children' rather than 'offenders'.

## Funding

The research on which this article draws has been jointly funded by the Youth Justice Board Cymru and the Welsh Government

## References

- Barry M (2009) Promoting desistance among young people. In: Taylor W, Earle R and Hester R (eds) *Youth Justice Handbook: Theory, Policy and Practice*. Gloucester: Willan, pp158-167
- Bateman T and Hazel N (2015) Custody to community: How young people cope with release. *Beyond Youth Justice*. Available at: <http://www.beyondyouthcustody.net/resources/publications/custody-community-young-people-cope-release-research-report/>
- Bateman T, Hazel N and Wright S (2013) Resettlement of young people leaving custody. Lessons from the literature. *Beyond Youth Custody*. Available at: [http://www.beyondyouthcustody.net/wp-content/uploads/BYC\\_lit-review.pdf](http://www.beyondyouthcustody.net/wp-content/uploads/BYC_lit-review.pdf)
- Burnett R. (2004) 'To reoffend or not to reoffend? The ambivalence of convicted property offenders'. In Maruna S. & Immarigeon R. (eds), *After Crime and Punishment – Pathways to Offender Reintegration*. Cullompton: Willan Publishing, pp. 152–180
- Fitzpatrick E, McGuire J and Dickson J (2015) Personal goals of adolescents in a youth offending service in the United Kingdom. *Youth Justice* 15(2): 166–181.
- Garton Grimwood G and Berman G (2012) *Reducing reoffending: The 'what works' debate*. Research paper no. 12/71. House of Commons. Available at: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/RP12-71>
- Giordano P, Cernkovich S and Rudolph J (2002) Gender, crime, and desistance: Toward a theory of cognitive transformation. *American Journal of Sociology* 107(4): 990–1064.
- Glover J, Webster L, White J and Jones N (2012) *Developing the Secure Estate for Children and Young People in England and Wales: Young people's Consultation Report*. London: YJB.
- Hart D (2011) *Into the Breach*. London: Prison Reform Trust. Available at: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Into%20the%20Breach.pdf>
- Hazel N and Liddle M (2013) *Resettlement in England and Wales: Key Policy and Practice Messages*. London: YJB.
- Hazel N, Hagell A, Liddle M, Archer D, Grimshaw R and King J (2002) *Detention and Training – Assessment of the Detention and Training Order and its Impact on the Secure Estate across England and Wales*. London: YJB.
- Hazel N, Liddle M and Gordon F (2012b) *Key Lessons from the RESET Programme*. London: Catch22.
- Hazel N, Wright S, Liddle M, Renshaw J and Gray P (2012a) *Evaluation of the North West Resettlement Consortium*. Available at: <https://www.justice.gov.uk/downloads/youth-justice/effective-practice-library/evaluation-north-west-resettlement-consortium.pdf>

- HMIP (2015) *Joint Thematic Inspection of Resettlement Services to Children by Youth Offending Teams and Partner Agencies*. Manchester: HMIP.
- HM Prison Service (2005) *PSO 6300: Release on Temporary Licence*. London: HM Prison Service.
- Kennedy E (2013) *Children and Young People in Custody 2012–13 – An Analysis of 15–18-Year-Olds’ Perceptions of Their Experiences in Young Offender Institutions*. London: HMSO.
- King S (2013) Early desistance narratives: A qualitative analysis of probationers’ transitions towards desistance. *Punishment & Society* 15(2): 147–165.
- McNeill F, Farrall S, Lightowler C and Maruna S (2014) Desistance as a framework for supervision. In: Bruinsma G and Weisburd D (eds) *Encyclopedia of Criminology and Criminal Justice*. New York: Springer. Available at: [http://blogs.iriss.org.uk/discoveringdesistance/files/2013/09/McNeill-et-al\\_Desistance\\_Frame.pdf](http://blogs.iriss.org.uk/discoveringdesistance/files/2013/09/McNeill-et-al_Desistance_Frame.pdf)
- Maruna S and LeBel T (2003) Welcome home? Examining the ‘re-entry court’ concept from a strengths-based perspective. *Western Criminology Review* 4(2): 91–107.
- Maruna S, Immarigeon R and LeBel T (2004) Ex-offender reintegration: Theory and practice. In: Maruna S and Immarigeon R (eds) *After Crime and Punishment – Pathways to Offender Reintegration*. Cullompton: Willan Publishing, pp3–26
- Ministry of Justice (2015) *Proven Reoffending Statistics Quarterly Bulletin: October 2012 to September 2013: England and Wales*. London: Ministry of Justice.
- Moore R (2012) Beyond the prison walls: Some thoughts on prisoner ‘resettlement’ in England and Wales. *Criminology and Criminal Justice* 12(2): 129–147.
- National Assembly for Wales (2011) *Rights of Children and Young Persons (Wales) Measure 2011*. Available at: [http://www.legislation.gov.uk/mwa/2011/2/pdfs/mwa\\_20110002\\_en.pdf](http://www.legislation.gov.uk/mwa/2011/2/pdfs/mwa_20110002_en.pdf)
- Phillips L, Smith R, Martin K, Mehta P and Durbin B (2012) *Evaluation of the YJB Pilot Resettlement Support Panel Scheme*. Cardiff: Welsh Government Social Research.
- Prime R (2014) *Children in Custody 2013–14*. London: HM Inspectorate of Prisons/Youth Justice Board.
- Ramsbotham D (2003) *Prisongate*. London: Free Press.
- Sampson R and Laub J (1993) *Crime in the Making: Pathways and Turning Points through Life*. London: Harvard University Press.
- Ward T (2002) Good lives and the rehabilitation of offenders: Promises and problems. Tony Ward. *Aggression and Violent Behavior* 7(5): 513–528.
- Welsh Government/YJB (2014) Children and young people first. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/374572/Youth\\_Justice\\_Strategy\\_English.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374572/Youth_Justice_Strategy_English.PDF)
- Wright S, Hazel N and Bateman T (2014) Engaging young people in resettlement. *Beyond Youth Custody*. Available at: <http://www.beyondyouthcustody.net/resources/publications/engaging-young-people-resettlement-practitioners-guide/>
- Youth Justice Board (YJB) (2006) *Youth Resettlement: A Framework for Action*. London: YJB.
- Youth Justice Board (YJB) (2010) *Evaluation of Resettlement and Aftercare Provision*. London: YJB.
- Youth Justice Board (YJB) (2012a) *Developing the Secure Estate for Children and Young People in England and Wales*. London: YJB
- Youth Justice Board (YJB) (2012b) *YJB Corporate Plan 2012-15 and Business Plan 2012/13*. London: YJB.
- Youth Justice Board (YJB) (2013) *National Standards for Youth Justice Services*. London: YJB.
- Youth Justice Board (YJB) (2014) *Deaths of Children in Custody: Action Taken, Lessons Learnt*. London: YJB. Available at: [http://www.cypnow.co.uk/digital\\_assets/328/Deaths-of-Children-in-Custody-Action-Taken-Lessons-Learnt-final-version-for-printing-copy.pdf](http://www.cypnow.co.uk/digital_assets/328/Deaths-of-Children-in-Custody-Action-Taken-Lessons-Learnt-final-version-for-printing-copy.pdf)
- Youth Justice Board (YJB) (2015) YJB protocol for the placement of Welsh young people into secure accommodation. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/447279/Wales\\_Placement\\_Protocol.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/447279/Wales_Placement_Protocol.pdf)